

In re Appln. of Robert C. Phillips et al.
Application No. 09/928,235

AMENDMENTS TO THE DRAWINGS

CHANGES TO THE DRAWINGS HAVE BEEN SUBMITTED ON REPLACED SHEETS OF DRAWINGS AS AN ATTACHMENT TO THIS AMENDMENT. THE HEADER OF EACH REPLACEMENT DRAWING PAGE IS LABELED "REPLACEMENT SHEET".

The attached replacement sheets include changes to Figs. 1, 2, 3, 6, and 12. These replacement sheets, which include Figs. 1, 2, 3, 6, and 12, replace the original sheets including Figs. 1, 2, 3, 6, and 12. FIG. 1 has been modified by replacing "Network" by "Server" in item 24. FIG. 2 has been modified to include reference number 91 in accordance with the written description. With regard to FIG. 3, the reference number "140" has been removed. FIG. 6 has been modified by deleting the "310" reference number. FIG. 12 has been modified by deleting reference numbers identified as "758" (for the item identified as "zero pktSizeCollected") and "760" (for the item identified as "get PktBasePtr").

In re Appln. of Robert C. Phillips et al.
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REMARKS

The Examiner is requested to approve the accompanying replacement drawings. The replacement drawings include Figs. 1, 2, 3, 6, and 12. Applicants appreciate the suggestion to add numbers to FIG. 11, but have decided to leave FIG. 11 as originally filed. The amendments to the drawings are described above.

The Office Action dated October 18, 2004, and the reference cited therein have been considered. Claims 1-3 were previously pending. No claims currently stand allowed. Claim 1 has been objected to. Claims 1 and 3 have been rejected under Section 112, paragraph 2. Claims 1-3 are rejected as anticipated by DuLac. In view of the amendments above and remarks set forth herein below, the pending claims 1-3 are patentable over the prior art presently known to Applicants. Please charge any fee deficiencies to Deposit Account No. 12-1216.

Applicants have amended the claims to address objections to informalities identified at page 4 of the Office Action. Claim 1 has been modified to recite a "supplemental processor node", and "data storage device" has been changed to "data storage node." However, "the external network" in claim 1 refers to the element "an external network" introduced in the preceding paragraph of claim 1.

With regard to the Section 112 rejections, Applicants submit that "an external network interface" comprising "an external network interface engine" (e.g., 54 in FIG. 2), as the first recitation of that element in claim 1, is properly recited. Claim 1 was not modified in response to this rejection. Applicants have modified claim 3 to recite a "network interface node."

Applicants traverse the grounds for each and every rejection of pending claims 1-3 as anticipated by DuLac et al. for at least the reasons set forth herein below. Accordingly, Applicants request favorable reconsideration of the previous rejection of the now pending claims. Applicants address the specific rejections in the order they arise in the Office Action.

Applicants traverse the rejection of claim 1 as being anticipated by DuLac. Claim 1 recites a network server system including three distinct types of nodes coupled together via an internal network (see, FIG. 1). The nodes within the server system comprise: (a) a

In re Appln. of Robert C. Phillips et al.
Application No. 09/928,235

supplemental processor node (for general purpose application execution), (b) a data storage node, and (c) an external network (content transfer) access node. The external network access node, in turn, comprises: (1) an external network interface, (2) an internal network interface, and (3) a set of event engines for executing information asset transfers.

DuLac et al. discloses a system (FIG. 3) wherein each video storage unit/node 112 has its own direct connection to an external communications network 56. The DuLac patent neither discloses nor suggests Applicants' recited "external network access node" that executes information asset transfers (e.g., movies, web pages, etc.) between the data storage node (coupled to the internal network) and the external network. Applicants submit that communications bus 110 can indeed be a part of a network; however, there is no basis for the Office Action's assertion that the attached video server node's internal bus 160 is part of the recited "internal network." The bus 160 is a part of the internal, non-network, structure of video storage node 112 depicted in FIGs. 3 and 4. In the event that the rejection is not withdrawn, Applicants request further explanation regarding the basis for including the bus 160 as a part of the "internal network" recited in Applicants' claim 1 that communicatively couples nodes within the network server system.

Applicants further submit that the "conversion circuitry for packaging retrieved data to a format for transmission over the internal network" element of claim 1 is not met by the DuLac disclosure. Further data packaging must occur within the network connection 150 to enable data from component 154 to be transmitted over the network bus 110 that connects the video storage nodes 112 to the video server node 100. Finally, as noted in DuLac, at col. 5, lines 42-53, the processor 152 (not part of the network connection 158 – and therefore not part of the recited external network access node) performs the recited functionality, if at all, of maintaining contexts for the data transfers carried out by the external network access node. However, including the processor 152 within this recited element is contrary to the Office Action's application of the DuLac disclosure to the recited "internal network" element. For at least these reasons, DuLac does not anticipate claim 1.

Turning to the rejection of claim 2, the Office Action's grounds for the rejection do not meet the structural limitation of the recited "external network access node". The Office Action combines three internal components 152, 156 and 158 that are connected by the video

In re Appln. of Robert C. Phillips et al.
Application No. 09/928,235

storage node 112's bus 160 – a structure construed in the Office Action to be part of Applicants' recited internal network. Considering Applicants' recited nodes are connected by the internal network, the three components 152, 156 and 158 within DuLac's video storage node 112 cannot correspond to Applicants' recited external network access node (e.g., node 10 in FIG. 1) without treating the video storage node 112 as a single node and excluding the bus 160 from Applicants' recited internal network. The disclosed DuLac video on demand system simply cannot meet the structural network elements recited in claim 2 without inconsistently applying the bus 160 inside video storage node 112 to the claims.

Applicants traverse the rejection of claim 3. In the rejection, the Office Action references the entire Video storage node 112 as corresponding to the recited network interface node. The office action does not identify where FIG. 5 discloses delegation logic for facilitating specifically recited functions including "identifying a handler from a set of processing elements" (e.g., event engines 58 in Applicants' FIG. 2). In the event that this rejection is not withdrawn Applicants request identification of this recited functional element in the DuLac reference.

Furthermore, DuLac does not include the recited "data path from the set of storage drives to the network interface, the data path facilitating *data transfers between the set of storage drives and the network interface node*" (emphasis added). Earlier in the rejection of claim 3, the Office Action asserts that node 112 corresponds to the recited network interface node. In order to perform the recited transfer, the set of storage drives and the network interface node need to be two separate entities. However, in DuLac the drives are within the network interface node (112), and therefore DuLac cannot execute the claimed transfer *to the network interface node*. Applicants have amended claim 3 to remedy a previous editing error in the last paragraph that may have given rise to the present confusion regarding the structural relations of the elements recited in claim 3. However, currently amended claim 3 eliminates this clarity problem.

In re Appln. of Robert C. Phillips et al.
Application No. 09/928,235

Conclusion

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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Date: April 18, 2005

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In re Appln. of Robert C. Phillips et al.
Application No. 09/928,235

Attachment: FIVE Replacement Sheet(s) including changes to FIGs. 1, 2, 3, 6 and 12